

KIDDERMINSTER FOREIGN PARISH COUNCIL

Minutes of the Parish Council Meeting

held in Trimpley Village Hall on Monday 28th June 2021 at 7.30pm

Present Councillor Mr. C. Jordan
Councillor Mr. C. Grainger
Councillor Mr. B. Phillips
Mrs E Whitehouse (Clerk)

Councillor ~~Mr. J. Gammond~~
Councillor Mr. C. Holford
Nine members of the public were present
Dist. Cllr. J. Byng

The chairman welcomed everyone to the meeting, and asked that all those present should please treat each other and individual's opinions with respect, and abide by the Code of Conduct of the Council.

1. **Police Report** – no police present. A discussion took place about an abandoned and subsequently vandalised and burnt out car in Eymore Wood car park. Apparently Arley Estate could not get it removed until sanctioned by police since it remained the property of the owner until legally released. This had taken about a month, but when finally allowed, Arley Estate had acted promptly and had it removed.

South Worcestershire Rural Parish Council Contact Contracts - West Mercia Local Policing Charter – Clerk had received this from the local police, but had asked for the Chair to be corrected on the document. This was part of the Charter to address the three items identified at the April Parish Council meeting – namely speeding vehicles on the lanes, illicit fly tipping, and anti-social behaviour by local youths. Clerk was awaiting receipt of the amended document.

2. **Public Open Forum - Hollies Lane** - One member of the public updated the Parish Council on the current situation, which is minuted under matters arising

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3. **Apologies For Absence:** Councillors Mrs. C. Gammond and Mrs. L. Green, Mr James Gammond - Dist. Cllr. P. Harrison and County Cllr. I Hardiman.

4. **DECLARATIONS OF INTEREST:** Cllr. Grainger declared an interest in any item concerning Riddings Brook and also 21/0551 – Hoarstone Court. Cllr Mr. C. Jordan declared a non-pecuniary interest in planning application 19/0754, and also litter picking at Trimpley reservoir, being Chair of the Trustees of The Emily Jordan Foundation.

Cllr Grainger also declared an interest in planning application 21/0042, being a neighbouring property to his land.

5. **Approval of the Minutes** The minutes of the Annual Parish Meeting and the Parish Council Meeting held on 19th April 2021 were approved and signed, along with the minutes of the Annual Meeting of the Parish Council held 17th May 2021.

6. **Election of Vice Chairman for 2021/22** It was proposed, seconded, and unanimously agreed that Cllr. J. Gammond (in his absence) be elected for post of Vice Chair. Cllr. J. Gammond had indicated prior to the meeting that he would be happy to take the position if nominated.

7. **Election of Worcs. CALC Representatives for 2021/22** It was agreed that Cllrs. C. Holford & C. Grainger be representatives for the coming year.

8. **Report by outgoing Chair, Cllr Mrs. C. Gammond on 2020/21** This report was postponed to the July meeting so that Cllr. Mrs. Gammond could present this herself.

9. **District Reports** – None Tabled.

10. **PLANNING AND DEVELOPMENT CONTROL:**

a) **New Planning applications:** - (several new Certificates of Lawfulness were advised to councillors (for information only) in relation to chalet/shack residences on Hill Farm)

21/0421 - Outline planning application (with all matters reserved except for means of access) for erection of up to 124 dwelling houses, including public open space and landscaping surface water attenuation and associated infrastructure at Os 381000 277300, Habberley Lane, Low Habberley

Comment: "We wish to object most strongly to this proposed application for the following reasons:

1) *Inappropriate Green Belt Development - Para. 136 of NPPF states that Green Belt Boundaries should only be altered where "exceptional circumstances are fully evidenced and justified". We would contend that there have been no exceptional circumstances to justify the removal of this site from the greenbelt. Indeed, we feel the reverse applies to this site, since the site serves as an open countryside buffer between the boundaries of the urban sprawl of Kidderminster and the village of Low Habberley, and this would significantly reduce the gap between the two.*

2) *Inappropriate Green Belt Development - Para. 137 of NPPF states that all brownfield sites should be fully assessed before changes are made to Green Belt Boundaries. We do not believe that this has been investigated sufficiently thoroughly, and therefore object strongly to this site being used for development. We feel that there are a considerable number of brownfield sites or sites of lesser landscape value that could be used before such an important buffer site as this should be used. Indeed, this site has been found to provide a significant positive contribution to the Green Belt. The Amec Foster Wheeler – 'Green Belt Review Strategic Analysis (September 2016)' confirmed the following in their 'Site Analysis Appendix C: Site by site analysis May 2018' in terms of the site's contribution to the Green Belt:*

"To check the unrestricted sprawl of large built-up areas – SIGNIFICANT CONTRIBUTION: The site forms part of the northern edge of the built extent of Kidderminster. As such it contains the spread of the town into open countryside to the north of Habberley Road which in this location contains the contiguous built development to the south. The site, in combination with the wider Green Belt in this location, helps to form part of the context for, and separate identity of, the hamlet of Low Habberley. Development of the site would not constitute 'rounding off', despite the presence of development at Coningsby Drive to the northeast which creates an unbounded extension into open countryside north of Habberley Lane.

To assist in safeguarding the countryside from encroachment – SIGNIFICANT CONTRIBUTION: The site acts as part of the wider Green Belt to the north of Kidderminster, containing the contiguous built area of the town and preventing encroachment into open countryside. Although contained on three sides by substantial boundaries, the northern boundary comprises an insubstantial hedge.

Overall Assessment of Contribution to Green Belt Purposes – SIGNIFICANT CONTRIBUTION: The site forms part of the arc of Green Belt which contains the northerly extent of Kidderminster, limiting extension of the contiguous built-up area of the town into open countryside. As such, and in combination with the wider Green Belt in this locality, the site makes a significant contribution to

Green Belt purposes of containing sprawl and preventing encroachment.”

This assessment does not support the release of the site from the Green Belt.

- Document ED20 Green Belt Topic Paper - Summary of Site Assessments (October 2020) of the local plan examination hearings also confirms the contribution of the site to the Green Belt as: “Significant Contribution – The site forms part of the arc of Green Belt which contains the northerly extent of Kidderminster, limiting extension of the contiguous built-up area of the town into open countryside. As such, and in combination with the wider Green Belt in this locality, the site makes a significant contribution to Green Belt purposes of containing sprawl and preventing encroachment”.

This assessment does not support the release of the site from the Green Belt.

Furthermore, in the recent Inspectorate Examination of the Wyre Forest Local Plan 2016-36, in document ED6, the Inspector makes the following point:

“I have not found a comprehensive, integrated and consistent level of explanation of the local-level, site-specific exceptional circumstances that, in the Council’s view, justify the release of each individual site. This explanation should summarise the purposes that each individual site serves in the Green Belt, the effect of its release on these purposes and the overall integrity of the Green Belt, and the other relevant factors in each case that, cumulatively, may amount to exceptional circumstances justifying its release.” In light of this comment by the Inspector, we feel that this “individual site” has intrinsic value in preventing urban sprawl. The current Habberley Road is a far more effective barrier to such sprawl into Green Belt land than ever any hedgerow will be, irrespective of any improvements being made to the hedge. There have been no exception circumstance to justify its release, and so we would object to this in the strongest possible way we can.

3) **Environmental Impact** - The development will offer no additional or compensatory improvements to the environmental quality and accessibility of the remaining/adjoining Green Belt land, as outlined in Para. 138 of NPPF. Indeed, we feel that the local environmental quality of the area will be particularly damaged by this development in that it will destroy undeveloped wildlife corridors leading to the bordering Natural Reserve of Habberley Valley. We believe that the development of this site is particularly harmful to wildlife in this respect. Habberley Valley Nature Reserve has direct connectivity to this open field site, and provides suitable and endangered habitat for a range of protected species, including badgers, bats, birds, invertebrates, amphibians and reptiles. Habberley Valley Nature Reserve is already under considerable pressure from human disturbance, and this development, directly on its border, and with planned new public access routes from this development directly into the reserve, will only exacerbate the problem, and accelerate the decline of these species, seriously disrupting the wildlife corridors used by such species to access the reserve.

We are also of the opinion that dispersal of surface water has not been adequately addressed. This field, historically, even as agricultural bare earth, has caused surface run-off flooding, and we do not believe that the small pond shown would take the extra run-off from roofs, driveways and hard surfaced roads and pavements. We would like to see porous surfaces incorporated as mandatory into any plans, along with soakaways, and environmentally friendly ways of dealing with such water.

Also in respect of any drainage plans, we are aware of adjoining sewerage systems, but we have no knowledge of any assessment having been made of these, and whether they can take the additional load that these houses would put through that system. It will not have an infinite capacity, and little regard has been given to this aspect in respect of sewage disposal and possible capacity problems.

4) **Highway Matters**

Of particular importance, and high on the list of objections from residents from the whole of Kidderminster Foreign parish, is the unprecedented amount of extra traffic this will cause to an already stretched highway. Anyone who lives in this area or commutes through it will bear testament to this. The submitted Transport Assessment has already shown Habberley Road to be a dangerous local highway, and therefore this development conflicts with Para. 109 of NPPF.

The developer has stated that it has undertaken traffic assessments and counts, but this was some years ago, before the new Habberley Trail was opened. The Trail had not really opened, and then the Covid lockdown happened and the traffic count would have been much lower than we are expecting in coming times. This Trail, on the site of the former Low Habberley Golf Club, is expected to generate considerably more traffic in coming months wishing to turn into Habberley Lane from the roundabout at the junction with Habberley Road. We therefore contend that any reports submitted into the weight and type of traffic using this roundabout junction are now out of date, and inaccurate.

Wherever highway access to this proposed development site may be designed (at the moment from the plans it is at two points on the Habberley Road) it will cause terrific problems for the inadequate roundabout between Habberley Road and Habberley Lane. Currently, the preponderance of traffic at this point is along the Habberley Road, from Bewdley – Franche, and vice versa. This is particularly noticeable at rush hours, when tailbacks occur on the Habberley Lane junctions – ie. from Low Habberley across towards the Blakebrook area, where road users struggle to get access onto the roundabout. However, we now also have the addition of traffic wishing to go to the Habberley Trail, which has opened since traffic assessments were done by the developer.

Indeed the tailbacks at this point, due to the heavier flow of traffic – Bewdley-Kidderminster-Bewdley – already cause some road users to take “cut throughs”. This is particularly noticeable via the roads on the Ferndale estate, which will be made worse, and this will endanger the inhabitants and their families, destroying the residential quality of this estate.

Although the developer has suggested some minor improvements at the roundabout, these will not solve this problem. Dropped pavements, and pedestrian slopes to the highway will not help or address any of the problems highlighted here. We would also comment that the access points for the site do not show any appropriate visibility splays.

We would therefore object to this housing development taking place, as it would cause major highway problems, which are currently not addressed in any proposals we have seen, and we would ask that the County Highways Engineers dealing with this application are made aware of these comments. Indeed, the roundabout already causes problems, and this development will just exacerbate these.

5) **Other Matters**

Loss of Agricultural Land – This development will take productive agricultural land from our countryside, which is becoming less and less in the UK, and this will be irreversible.

Number and type of dwellings – the plan states 124 dwelling houses. This number has not remained constant, varying in different documents from 120 to 140 dwelling houses – leaving Parish Councillors and local residents confused, and totally unaware of the true density of the proposed housing.

The mix of housing has also not been addressed, and we note there is no commitment to the requirements of Para.61 of the NPPF – i.e. we would like to see provision of smaller starter home, bungalows, self-build plots, as well as larger family homes, to cater for different groups in the community.

Archaeological Assessment – we do not believe that a thorough archaeological study of the site has taken place. We would like to see LIDAR reports of the proposed site as well as test digs – based on any information found from Lidar reports - to ensure that no important remains are being destroyed forever. The lack of such assessment is contrary to Para. 189 of the NPPF.

6) **In summary**, the Parish Council wish to confirm their unanimous opposition to this development for all the valid reasons given above. We feel that the development addresses very few needs of the people of the District, and almost none for the people who live local to this site. For identified District housing needs, and to meet government requirements, we feel there are far more appropriate sites which should be used to address these. We would also ask that the Parish Council comments in opposition to this development submitted 17th December 2018 and linked here - form part of this council’s opposition to this planning application. “

A vote of thanks was offered to the Clerk for compiling this comment which was ratified for submission.

21/0388 - Retention as a permanent dwelling house (Use Class C3), including extensions and demolition of unlawful extension at Easter Cottage, Severn Meadow, Northwood Lane, Bewdley,

Comment: "The plans for parts to be retained appear to be acceptable. However, careful monitoring of the requisite demolition of the unlawful extension will be needed, and we respectfully request that this is checked periodically, and also on completion, if approval is to be given"

21/0567 - Proposed Single Storey Rear Extension, Porch to Front and External Alterations, following removal of Existing Conservatory : 19 Habberley Lane, Low Habberley, Kidderminster

Comment: "No objections"

21/0349 - Mixed use of land as a caravan site and use by permanent residential dwelling houses at Hill Farm, Northwood Lane, Bewdley

Comment: "On principle and as a whole, we would not object to the application – but would ask that the following items are thoroughly investigated and corrected before any permission may be granted:

a) The application states that it covers 170 properties on the Hill Farm site. We only know of 166. Could this please be ratified and corrected as necessary. The number of residences, that any licence which may be granted covers, should be accurate, definitive and correct.

b) There are 4 names mentioned below which we understand are not properties but "areas". We would like these excluded from any permission granted – as this may give permission to erect dwellings in those "areas":

Half Orchard

Hill Farm

Road Meadow

Rickyard Meadow

c) We would also ask why :

Application Received: **Wed 31st March 2021**

Application Validated: **Mon 17th May 2021**

and then not notified to the Parish Council, as Statutory Consultee, until **14th June 2021**.

Could Planning Dept at Wyre Forest DC please explain these gaps, and if details needed to be clarified, what these details were?

d) Should the Planning Dept be minded to grant permission, we would draw to your attention that, to our knowledge, we know of no fire water hydrant point for emergency services to use on this site. There was once a large pool on site, which could perhaps have previously been used, but the applicant has filled this in. This aspect of Public Safety needs to be addressed before any official licence is granted to the site. Grass and vegetation on the site, once dry in late summer, may prove to be a fire hazard, since there had been no cutting of this by the owner around the site.

e) We also note that the application states that the site cannot be seen from a public footpath.

This is not true, since public rights of way follow the river bank on both sides, and the site is particularly visible from the western bank of the River Severn."

21/0551/HOU - Erection of open sided pergola - Hoarstone Court, Willow Lodge, Hoarstone Lane, Trimpley

(Councillor C Grainger declared a pecuniary interest in this application, and took no part in the discussion)

Comment: "We have no objection to the design of the pergola, but feel, however, that it could perhaps have been sited more appropriately. It is directly at the end of the approach road, and is a little prominent in its position with a view to the Listed Building, even though it is behind trees."

It was noted that **21/0367 (7 Low Habberley Farm)** had been withdrawn prior to the meeting.

b) Update on Previous applications

19/0754 – Retrospective application re COU to Swimming Pool at The Guildings Eymore Lane, Trimpley – **still pending decision.**

21/0029/FUL New purpose built dog kennels, office and store room at Northwood Farm, Northwood Lane, Bewdley, DY12 1AP – **Refused**

21/0032/FUL Replacement Office Building Land Adjacent, Highfield, Crundalls Lane, Bewdley,
- **Application has been withdrawn**

21/0109/HOU: Two storey side extension at Ivy Cottage, Habberley Valley Kidderminster, DY11 5RH
- **Approved** (It was understood that the property was also having Permitted Development work undertaken in addition to this application.)

21/0272/FUL - Retention of replacement cabin - The Shack, 5 Folly Point, Trimpley, Bewdley,
- **Approved**

21/0192/HOU - Single storey side extension to existing outbuilding - Upper Birch Farm, Upper Birch Road, Shatterford, DY12 1TR - **Application has been withdrawn**

21/0042 – Change of use from grazing area to menage/all weather exercise area – land at Hoarstone Lane, Trimpley, Bewdley - **Approved**

c) Compliance Issues/Appeals – Easter Cottage – See application **21/0388 above.**

The Thresholds, Hoarstone Lane, Trimpley - Following concern expressed to the Parish Council from a resident in Halls Farm Lane that there were works being undertaken in the field at this property, the Enforcement Officer visited the residence, and it transpired that lighting of an existing menage was being installed. However, it has been confirmed that the lighting fixtures have now been removed, and the remaining lighting is entirely movable, and will not be a permanent feature. 28 days per calendar year is allowed for the movable lighting, and assurance has been given that lights will only be used for short periods during the winter months October – March. A planning application is also going to be submitted for a turnout area in connection with the menage.

A general discussion then took place about intrusive lighting around the neighbourhood, particularly exterior security lighting, left on late into the evening, and sometimes all night. It was thought that such lighting needed to be downward facing, and set on motion sensors. Clerk was asked to investigate the laws concerning such lighting and report to the Council at the next meeting.

11. Progress Reports and other Outstanding Items

- **Highway Matters** – (Clerk had e-mailed the County Highways Dept on these matters over the preceding weekend, but had received no reply.)

Parking on Grass Verge near to Low Habberley Farm – Although the bollards had been ordered, and were in the CC depot, they had still not been installed. However, a member of the public advised that the verge had been spray-marked, presumably in readiness for the installation.

VA Sign – Trimpley – has been hit by a vehicle, and the solar panel is again damaged. It was also suspected that the batteries were no longer functioning well, having been totally drained for some time. Clerk was asked to get a price for a new panel, and also new batteries, and also to ask for highways engineering Paul Green to meet with councillors to discuss different locations. Clerk also to get a price for a total new unit, and also for suitable pole(s), including installation.

In respect of the old sign and pole – still in situ by Habberley Farm, it was decided that the sign was now scrap, and the pole was unsuitable for the new type of sign. Therefore for the time being it was decided to leave it where it was, as the Council had no storage facilities.

Hoarstone Lane – Drainage Sump – This matter had been dragging on for almost two years now, and it was generally felt to be far too long. If it was not dug out and made to function by the autumn of 2021, the Council would take steps to see if it could be done by other means.

Speed Cables in Low Habberley – It was noted that cables were down, but not where the Parish had requested. They were sited not far from Conningsby Drive, and there was speculation as to why this siting, with perhaps a link to the new housing development.

Hollies Lane - From the public open forum, it was noted that the County Council had managed to get the drain and sump cleared at the moment. However, it was stated that if there is heavy rain, these still overflow, also bringing debris from the banks of the lane, and the drain and sump cannot take this, and it still spills out onto the A442. It was intimated that the drain under the A442 was not big enough to take water into the Honeybrook. County Councillor Hardiman had advised that he was still pushing to get a scheme done to finally solve this perennial problem. It was hoped that a video could be taken during a heavy storm to show evidence of these problems to the County highways engineers which may affect Honeybrook Lodge. If the drains cannot take the water away into Honey brook, and such video evidence could be obtained, then it was decided to contact the council again showing them the problems, as there may be legal implications if property is flooded.

Bus Shelters – No new re licences for further sites had come through.

Other Matters

- **Broadband provision up-date** – no further information. Minuted closed for time being.
- **Restoration Project – Black Pools** - Cannot further the project until Mrs. Briggs signs the consent letter sent to her. Cllr. Holford would contact Mrs. Briggs.
- **Clay Pigeon shoot at Honeybrook** – It was understood that the shooting was about to recommence. This would continue for a few months (according to the investigation 20/12438/NCP by Worcester Regulatory Services) and then it was understood that the shoot would close down.
- **Clare Witnell Blount Charity** – Clerk had received a response from the Charity Commission stating that they had assessed the situation against their Risk Scale, and deemed that they would only offer advice and guidance to the Board of Trustees. Clerk had drafted a reply which she read out, asking them to reconsider, since the Board was now inquorate, and the Council feared that the tenants of housing owned by the charity could be at risk due to poor management. It was agreed that the follow up letter should be sent, with a copy to the solicitor's department at Wyre Forest District Council.

Consideration for the installation of village gateway structures / planters / bins

Deferred for a period of time – minute closed for the time being, as no decision taken.

- **Local Visits** – for information, Parish Councillors arranged a visit at **Eymore Wood** to meet with Mark Webb, the newly appointed Finance Director responsible for the management of Arley Estate, and Andrew Bronwin, Managing Director of Bronwins and Abbey, the company undertaking a Forestry Scheme over the next ten years for Eymore Wood. Woodland management was discussed with Andrew Bronwin, including felling, planting and wildlife, along with problems of poor Rights of Way signage and bridges and litter problems within the woodland. Mark Webb of Arley Estate agreed to be instrumental in arranging works to address the latter two problems.

Clerk reminded Councillors that she had arranged an informative meeting for them in Habberley Valley on Wednesday 30th June.

Voluntary Litter Pick

Cllr. Holford would undertake some voluntary litter picking over the next week or so. It was hoped that a group litter pick could be arranged – perhaps in September.

12. Lengthsman / Litter Collection and Footpath Clearance Matters

- a) Clerk had circulated the worksheet received from Sam Archer which was approved for payment.
- b) Clerk had been advised by the County Council that face-to-face training had now become possible for the lengthsman, and that they were arranging to up-date Sam's training.
- c) **Rights Of Way** – Clerk read out the end of year report for 2020/21 from Cllr. Mrs. Gammond:

"With the outbreak of the Covid 19 pandemic and the resulting restrictions put in place, work on rights of way was limited. We received the P3 Grant of £450 from the County Council again which was used to pay our contractors to clear seasonal vegetation on some of the paths. However, as last year, this grant was insufficient to cover clearance of all the paths in need. Again the Parish Council agreed to make up the shortfall so that those paths could be cleared.

An issue was raised regarding paths used on Low Habberley Farm. Signs were put up by the tenant farmer asking walkers to keep to the correct paths so not to damage crops.

After advertising the post of Parish Paths Warden/Regional Route Warden, the Parish Council received interest from two parishioners. Their details were passed to the C/C Rights of Way team who are responsible for making the appointment. Having spent over 35 years as Rights of Way Warden for the Parish I now hand over to the new Warden/s and wish them as enjoyable and fulfilling period in the role as I have experienced over the years."

Clerk advised that the Parish Council have received the contract for seasonal clearance, and offer of the P3 grant of £450 again for this. However, as highlighted, this is insufficient to cover the clearance needed, and there would be a shortfall of £189. The Clerk had instructed S. Archer to undertake clearance covered up to the amount of the £450 grant, and it was resolved that she could further instruct S. Archer to undertake the shortfall work of £189 (not funded by the grant) to be funded from the Parish Council.

13. **Financial Reports –**

a) Payments –

Chq 1125 – HMRC – Clerk's PAYE - £75.80

Chq 1126 – Worcs CALC – Planning training - £40

Chq 1127 – Zurich Insurance - £384.66

Chq 1128 – S. Archer – Lengthsman's Work - £408

Chq 1129 – Information Commission – Data Protection Fee - £40

b) Internet Banking progress – Should now be functioning. Clerk would circulate instructions again, so that Councillors could sign up. Unable to be used without councillors logged in to sign payments off.

c) Audit – Clerk had advertised, as legally required, to the website and noticeboards, giving notice to the public re exercising their Public Rights in respect of the Audit. The period to exercise these rights expires on 16th July.

14. **Newsletter** – Clerk had circulated a draft copy, but needed a further item(s) to fill space.

15. **Worcestershire CALC Reports & County and District & other Correspondence –**

CALC Executive Officers report – re Virtual Meetings read

Next CALC Area Meeting – Wednesday 30th June – via Zoom. This clashes with the visit arranged to Habberley Valley. As the CALC Representatives wished to attend the Habberley Valley visit, the Clerk advised that she would join the CALC meeting.

Worcestershire County Council Minerals Local Plan – further consultation taking place from 28th June to 9th August, but only concerns the SA Scoping Report, and comments on the DPD or individual sites cannot be accepted. It can be viewed on

https://www.worcestershire.gov.uk/info/20653/mineral_site_allocations_dpd

Litter – Eymore Wood - Clerk had received a phone call from a member of the public complaining about the amount of litter in Eymore Wood. She had advised she would draw this to the Parish Council, but that the wood was in private ownership, and therefore outside of the authority of the Parish Council.

16. **Road Accidents** – None in this parish.

17. **Other Matters** -

Date of Next meeting – confirmed as Monday 26th July at 7.30p.m. in Trimpley Village Hall. It was noted that this was a week later than usual. The meeting closed at 10.00p.m.

Chairman :